



BYRON W. BROWN
MAYOR

CITY OF BUFFALO
DEPARTMENT OF LAW



TIMOTHY A. BALL
CORPORATION COUNSEL

September 24, 2019

Freddy Martinez
MuckRock News
DEPT MR 76724
Somerville, MA 02144
Via email to 76724-13926709@requests.muckrock.com

Re: Freedom of Information Law appeal

Dear Mr. Martinez,

The City of Buffalo Department of Law received your Freedom of Information Law ("FOIL") appeal on September 23, 2019. In accordance with New York State Public Officers Law section 89(4)(a), this communication shall serve as a determination of your appeal.

According to your FOIL request, you seek: "Records and materials related to the solicitation, acquisition, and use of face recognition technology and related software and services." The Buffalo Police Department responded to your request with a letter that stated, in part: "Currently, BPD does not use Facial Recognition Software."

Please be advised that the Buffalo Police Department has confirmed that it is not in possession of any records responsive to your FOIL request. The Department does not keep or maintain any records related to facial recognition software, including bid records, vendor records, or training records. As such, the Department's response to your FOIL request is hereby upheld.

This determination shall be subject to review in the manner provided in Article 78 of the Civil Practice Law and Rules.

Very truly yours,

Timothy A. Ball
Corporation Counsel

cc: Committee on Open Government
Department of State
One Commerce Plaza, Suite 650
99 Washington Avenue
Albany, New York 12231